IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FOTOMEDIA TECHNOLOGIES, LLC	§	
	§	
Plaintiff,	§	Case No. 2:07-CV-255-TJW
	§	
v.	§	Judge: Honorable T. John Ward
	§	
AOL LLC, AMERICA ONLINE, INC., PHOTOBUCKET.COM, INC., SHUTTERFLY, INC., CNET NETWORKS, INC., AND YAHOO! INC.,	§ § § § §	
	§	
Defendants.	§	

[PROPOSED] ORDER GRANTING PHOTOBUCKET INC. 'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM PURSUANT TO FRCP 12(B)(6) OR, IN THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT

This matter came before the Court pursuant to Defendant Photobucket Inc.'s Motion To Dismiss for Failure to State a Claim Pursuant to FRCP 12(b)(6), Or In The Alternative, Motion for a More Definite Statement. Based on the briefs, supporting papers and proceedings herein, and for good cause shown, Defendant's Motion is hereby GRANTED.

IT IS HEREBY ORDERED that:

[Plaintiff PhotoMedia Technologies LLC's claims for willful infringement, inducement, and contributory infringement are dismissed for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6).]

[Plaintiff PhotoMedia Technologies LLC's prayers for relief related to indirect infringement and willful infringement are stricken.]

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[Under Fed. R. Civ. P. 12(e), PhotoMedia Technologies LLC has ____ days from the date of this ORDER to file and serve an Amended Complaint to provide a more definite statement of the allegations presented in its claims for willful infringement, inducement, and contributory infringement.]